IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1386 OF 2007.

Raj Residency 1 Coop.Housing
Society Ltd. ... Petitioner.
Versus.
P.S.Ahite,
Deputy Registrar R Ward & ors. ... Respondents.

Ms.Sumedha Rao for the Petitioner.

CORAM : ABHAY S.OKA, J.

DATED : 28th February, 2007.

P.C.:

1. Not on board. Taken on board.

2. Heard the learned Advocate for the Petitioner, the learned A.G.P. for Respondents Nos.1 to 3 and the learned Advocate for the Respondent No.4.

3. The proceedings on the basis of a show cause notice issued under section 78(1) of the Maharashtra Cooperative Societies Act, 1960 is pending before the Deputy Registrar of Cooperative Societies. Even if adverse order is passed against the Petitioners, the said order is appealable. However, considering the facts and circumstances of the case and the allegations made in the petition, sufficient time deserves to be granted to the Petitioner to take appropriate steps in case the order passed is adverse to the Petitioner.

4. Hence the writ petition is disposed of by the following order:

i) In case any adverse order is passed against the Petitioner in the proceedings under section 78 of the Maharashtra Cooperative Societies Act, 1960, effect shall not be given to the said order for a period of two weeks from the date of communication of the said order to the Petitioner.

ii) All contentions of the parties in the pending proceedings are kept open.

iii) The parties to act on an authenticated copy of this order.

Judge.